

A
B I L L

TO

Confirm a Provisional Order made by the Board of Trade A.D. 1872.
under the General Pier and Harbour Act, 1861, relating
to Waterford.

WHEREAS a Provisional Order made by the Board of Trade 24 & 25 Vict.
under The General Pier and Harbour Act, 1861, is not of c. 45.
any validity or force whatever until the confirmation thereof by Act
of Parliament:

5 And whereas it is expedient that the Provisional Order made by
the Board of Trade under the said Act, and set out in the schedule
to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
by and with the advice and consent of the Lords Spiritual and
10 Temporal, and Commons, in this present Parliament assembled, and
by the authority of the same, as follows:

1. The Order set out in the schedule to this Act shall be and the
same is hereby confirmed, and all the provisions thereof in manner
and form as they are set out in the said schedule shall, from and
15 after the passing of this Act, have full validity and force. Confirma-
tion of
Order in
schedule.

2. This Act may be cited as the Pier and Harbour Orders Short title.
Confirmation Act, 1872 (No. 3).

A.D. 1872.

SCHEDULE.

Waterford.

WATERFORD.

Order for the Improvement of the Port and Harbour of Waterford.

- Undertakers. 1. The Commissioners for the purposes of the Act of the ninth and tenth 5
years of the reign of Her Majesty, cap. two hundred and ninety-two (local),
intituled "An Act for improving, preserving, maintaining, and better regu-
lating the Port and Harbour of Waterford, and for other purposes relating
" thereto," (in this Order called the Local Act,) shall be the Undertakers for
carrying this Order into execution; and the expression the "Commissioners," 10
used in this Order, shall mean the Commissioners under that Act.
- Local Act. 2. This Order shall be read and construed as part of the Local Act, and as if
that Act and this Order were one Act.
- S & S Vict
c. 18,
22 & 24 Vict
c. 106,
incorporated. 3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses
Consolidation Acts Amendment Act, 1860," except so much thereof respec- 15
tively as relates to the purchase and taking of lands otherwise than by agree-
ment, are (except where expressly varied by this Order) incorporated with
this Order.
- Incorporation
of parts of
"Commis-
sioners Clauses
Act" 4. The clauses of "The Commissioners Clauses Act, 1847," with respect
to the mortgages to be executed by the Commissioners, so far as the same are 20
not inconsistent with the provisions of this Order, and with the exception of
section eighty-five of the said Act, shall be incorporated with this Order, and
shall apply to the money to be borrowed and the mortgages to be granted by
the Commissioners under the authority of this Order.
- Interpretation. 5. In this Order the several words and expressions to which meanings are 25
assigned by the Acts wholly or partially incorporated with this Order shall
have the same respective meanings, and in the said Acts as incorporated with
this Order, the expression "the special Act" shall be this Order; and the
expression "the harbour, dock, or pier" shall mean and include the port and
harbour of Waterford, and the channel or cut and works to be constructed 30
under this Order.
- Byelaws to
remain in force
un- altered. 6. The byelaws, rules, and regulations made by the Commissioners with
reference to the port and harbour of Waterford which are now in force
shall, until altered or recalled by the Commissioners, continue in force and
be applicable to the works authorised by this Order. 35
- Power to exe-
cute works. 7. Subject to the provisions of this Order, and subject also to such alterations
(if any) in the plans and sections deposited with reference to this Order as the
Board of Trade require from time to time before the completion of the works
in order to prevent injury to navigation, the Commissioners may, on the sites
designated by this Order and in the lines and situation and according to the 40

levels and within the limits of deviation shown upon the deposited plans, execute and maintain the works authorised by this Order, with such alterations and additions (if any) thereto as the Board of Trade may from time to time consent to for the benefit of navigation.

A.D. 1873.

Waterford.

- 5 8. The works authorised by this Order comprise the following :
 A channel or cut, commencing at a point about midway between the eastern and western shores of Waterford Harbour, and about fifteen hundred yards south of the fort and lower lighthouse at Duncannon, running or extending therefrom in a southerly direction for a distance of two thousand eight hundred yards or thereabouts, and terminating at a point distant about eleven hundred yards in a north-easterly direction from the eastern extremity of the promontory known as Cradan or Cradan Head.
- 10 9. The Commissioners may deviate laterally from the lines of the works by this Order authorised to the extent marked on the plans deposited for the purposes of this Order, and may deviate vertically from the levels defined on the sections deposited for the purposes of this Order to any extent not exceeding six feet.
- 20 10. The Commissioners may also lay down, erect, execute, or maintain all buoys, moorings, lights, beacons, and other works and conveniences which from time to time they may think necessary for effectuating any of the purposes of this Order, and may do any of the works authorised by this Order, either by themselves, their servants, or by others, and generally make such arrangements as may appear to them desirable for carrying out the said works.
- 25 11. The Commissioners may carry to and deposit the materials dredged or taken out of the said cut or channel at any place within the limits of the said port and harbour, either above or below low-water mark as may previously be approved of by the Board of Trade.
- 30 12. The works authorised by this Order shall be completed within eight years from the date of the passing of the Act confirming this Order.
- 35 13. With the consent of the Commissioners of Irish Lights, the Commissioners shall at their own expense, and without any cost to the Mercantile Marine Fund, remove the Low Lighthouse and Light Keeper's Store in Duncannon Fort Yard to and re-erect the same on another site within the Fort Yard twenty yards or thereabouts to the eastward of the present site, the precise position of which other site shall be determined by the Commissioners of Irish Lights; and the cost of any new quarters, or any other expenses which the War Department incur by reason of the change of site of the Low Lighthouse, shall be paid by the Commissioners to the War Department, and may be recovered from the Commissioners as a debt due to the Crown.
- 40 14. Subject to the exemption from rates specified in the schedule to this Order, which exemption is allowed by reason that rates and dues of the same amount are (contrary to the custom in many other ports) now levied in the ports of Waterford and New Ross on all vessels alike whether bound to or from

Description of works.

Power to deviate.

Further powers as to works.

Deposit of materials taken from cut or channel.

Period for completion of works.

Low light-house to be removed.

Power to levy new rates.

- A.D. 1872. parts of foreign countries or plying between home ports only, and subject also to the provisions of this Order, the Commissioners may demand, receive, or recover, in addition to the tolls and rates by the local Act and by "The Waterford Harbour (Dry Dock) Act, 1868," respectively authorised to be levied, any sums not exceeding the rates specified in the schedule to this Order. 5
- Waterford.*
- Continuance of rates in certain events. 15. Provided that until the channel or cut authorised by this Order is made or dredged to the depth of eighteen feet below low water of ordinary spring tides, the Commissioners shall not demand, receive, or recover any sums exceeding one half of the several rates specified in the said schedule hereto.
- A certificate signed by the chairman of quarter sessions for the county of Waterford that the said channel or cut has been so made or dredged to the depth of eighteen feet below low water of ordinary spring tides (which certificate he shall sign and give on being satisfied in this behalf), shall be conclusive evidence of the fact stated in such certificate. 10
- Certains fishing vessels under stress of weather except lower rates. 16. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels, when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. 15
- Power to borrow money. 17. In addition to any sum which the Commissioners have borrowed or have power to borrow on the security of the revenues of the harbour of Waterford, the Commissioners may from time to time borrow on mortgage at interest such further sums as may be required for carrying into effect the purposes of this Order, not exceeding in the whole the sum of seventy-four thousand pounds, on security of the rates authorised by this Order, and the rates, duties, and customs now leviable by the Commissioners, or any other property of the Commissioners. 20
- Existing securities to have priority. 18. Every security made for money borrowed by the Commissioners before the passing of the Act confirming this Order shall have priority over every security made for money borrowed under this Order. 25
- Application of money borrowed. 19. Every part of the money borrowed by the Commissioners under this Order shall be applied only for the purposes authorised by this Order.
- Power to re-borrow. 20. The Commissioners may from time to time re-borrow any amount from time to time repaid or about to be repaid by them, unless it be paid by means of the sinking fund, in which case, and to the extent of the amount paid off by means of such sinking fund, their powers of borrowing and re-borrowing shall cease. 35
- For appointment of a receiver. 21. The mortgages of the Commissioners may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver, and in order to authorise the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than seven thousand four hundred pounds in the whole. 40

22. The Commissioners shall apply all the rates received under this Order for the purposes and in the order following, and not otherwise; (that is to say.)

Waterford.
Application of
rates

1. In paying the costs of and connected with the applying for, obtaining, and making of this Order;

2. In paying year by year the interest accruing on money borrowed under this Order;

3. In paying the cost of the construction and maintenance of the works authorised by this Order, and the salaries and expenses authorised by this Order;

4. In payment of principal money borrowed, or in creating a sinking fund for that purpose, in the manner, and so far as the nature and circumstances of the case will admit, in the proportion specified by The Commissioners Clauses Act, 1847;

5. In the further general improvement of the port and harbour of Waterford.

23. The Commissioners shall keep separate accounts of the rates received by them under this Order, and shall from time to time revise the rates receivable under this Order, so that the total produce of the rates received by the Commissioners under this Order may always be, as far as practicable, sufficient and not more than sufficient to meet the expenditure directed or authorised by this Order.

Rates may be
revised from
time to time.

24. The Commissioners shall be at liberty from time to time to appoint, remove, and re-appoint a secretary, collectors, an engineer, and other officers for the purposes authorised by this Order, and to pay such salaries as they may deem reasonable out of the rates received under this Order, but so that the total amount of such salaries shall not exceed the sum of five hundred pounds per annum.

Appointment of
officers, &c.
for purposes of
Order.

25. The Commissioners may, for the purposes of the works authorised by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredgers, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials as they think fit, and may from time to time as they think fit sell and dispose of any such dredgers, engines, tugs, vessels, diving bells, lighters, tools, plant, and materials as aforesaid, and shall apply the money thereby realised for carrying into effect the purposes of this Order, or some of them.

Commissioners
may provide
engines,
lighters, &c.

26. The following sections of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order; (that is to say,) sections fourteen to nineteen, twenty-five to twenty-seven, thirty-four to forty-eight, fifty-one to seventy-six, and seventy-nine to ninety-six, all inclusive.

Exemption of
parts of
10 & 11 Vict.
c. 27.

27. In the following cases; (that is to say.)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months:

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works

Power to
cease to execute
works.

A.D. 1872.
Waterford.

as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the fact stated in such certificate.

Saving existing powers of Commissioners.

28. Save as herein otherwise expressed, nothing in this Order shall be construed to repeal, lessen, or interfere with any of the powers, provisions, authorities, or restrictions of the Local Act, or of "The Waterford Harbour (Dry Dock) Act, 1868."

Saving rights under "Crown Lands Act, 1866."

29. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1866," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Expenses of Order.

30. All costs, charges, and expenses incurred by the Commissioners of and incidental to the obtaining this Order, and otherwise in relation thereto, shall be paid by the Commissioners.

Short title.

31. This Order may be cited as "The Waterford Harbour Order, 1872."

SCHEDULE to which the foregoing Order refers.

- | | | |
|--|---------------------------------------|----|
| (1.) For and upon every ton of the admeasurement of every vessel exceeding 250 tons and not exceeding 400 tons burden landing or receiving cargo at or above Duncannon, a rate or sum | Not exceeding sixpence per ton. | 25 |
| (2.) For and upon every ton of admeasurement of every vessel exceeding 400 tons burden landing or receiving cargo at or above Duncannon, a rate or sum | Not exceeding ninepence per ton. | |
| (3.) For and upon every ton of the admeasurement of every vessel exceeding 250 tons burden entering the harbour of Waterford for the purpose of seeking refuge therein and not landing or receiving cargo, a rate or sum | Not exceeding threepence per ton. | 30 |
| (4.) For and upon every ton of the admeasurement of every vessel exceeding 250 tons burden entering the harbour of Waterford for orders, or landing or receiving mails or passengers at the port of Waterford, provided such vessels do not land or receive cargo, a rate or sum | Not exceeding three halfpence per ton | 35 |

All vessels bound only from any one port to any other port of the United Kingdom, the Channel Islands, or the Isle of Man, shall be exempt from payment of the rates specified in this schedule.

Pier and Harbour Orders
Confirmation (No. 3).

A

B I L L

To confirm a Provisional Order made by
the Board of Trade under The General
Pier and Harbour Act, 1861, relating
to Waterford.

(Proposed and brought in by
Mr. Arthur Peel and Mr. Chichester Fortescue.)

*Ordered, by the House of Commons, to be Printed,
47 May 1873.*

[Bill 171.]
Under 1 oz.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Confirm a Provisional Order made by the Board of Trade A.D. 1872.
under the General Pier and Harbour Act, 1861, relating
to Waterford. —

WHERRAS a Provisional Order made by the Board of Trade 24 & 25 Vict.
under The General Pier and Harbour Act, 1861, is not of c. 45.
any validity or force whatever until the confirmation thereof by Act
of Parliament:

5 And whereas it is expedient that the Provisional Order made by
the Board of Trade under the said Act, and set out in the schedule
to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,
hy and with the advice and consent of the Lords Spiritual and
10 Temporal, and Commons, in this present Parliament assembled, and
hy the authority of the same, as follows:

1. The Order set out in the schedule to this Act shall be and the Confirma-
same is hereby confirmed, and all the provisions thereof in manner tion of
and form as they are set out in the said schedule shall, from and Order in
15 after the passing of this Act, have full validity and force. schedule.

2. This Act may be cited as the Pier and Harbour Orders Short title.
Confirmation Act, 1872 (No. 3).

A.D. 1872.

SCHEDULE

Waterford.

WATERFORD.

*Order for the Improvement of the Port and Harbour of
Waterford.*

- Undertakers.** 1. The Commissioners for the purposes of the Act of the ninth and tenth 5
years of the reign of Her Majesty, cap. two hundred and ninety-two (local),
intituled "An Act for improving, preserving, maintaining, and better regu-
lating the Port and Harbour of Waterford, and for other purposes relating
" thereto," (in this Order called the Local Act,) shall be the Undertakers for
carrying this Order into execution; and the expression the "Commissioners," 10
used in this Order, shall mean the Commissioners under that Act.
- Local Act.** 2. This Order shall be read and construed as part of the Local Act, and as if
that Act and this Order were one Act.
- 3 & 4 Viet.
c. 18,
35 & 36 Viet.
c. 198
Incorporated.** 3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses
Consolidation Acts Amendment Act, 1860," except so much thereof respec- 15
tively as relates to the purchase and taking of lands otherwise than by agree-
ment, are (except where expressly varied by this Order) incorporated with
this Order.
- Incorporation
of parts of
"Commis-
sioners Clauses
Act."** 4. The clauses of "The Commissioners Clauses Act, 1847," with respect
to the mortgages to be executed by the Commissioners, so far as the same are 20
not inconsistent with the provisions of this Order, and with the exception of
section eighty-five of the said Act, shall be incorporated with this Order, and
shall apply to the money to be borrowed and the mortgages to be granted by
the Commissioners under the authority of this Order.
- Interpretation.** 5. In this Order the several words and expressions to which meanings are 25
assigned by the Acts wholly or partially incorporated with this Order shall
have the same respective meanings, and in the said Acts as incorporated with
this Order, the expression "the special Act" shall be this Order; and the
expression "the harbour, dock, or pier" shall mean and include the port and
harbour of Waterford, and the channel or cut and works to be constructed 30
under this Order.
- Byelaws to
remain in force
till altered.** 6. The byelaws, rules, and regulations made by the Commissioners with
reference to the port and harbour of Waterford which are now in force
shall, until altered or recalled by the Commissioners, continue in force and
be applicable to the works authorised by this Order. 35
- Power to exe-
cute works.** 7. Subject to the provisions of this Order, and subject also to such alterations
(if any) in the plans and sections deposited with reference to this Order as the
Board of Trade require from time to time before the completion of the works
in order to prevent injury to navigation, the Commissioners may, on the sites
designated by this Order and in the lines and situation and according to the 40
levels and within the limits of deviation shown upon the deposited plans,
execute and maintain the works authorised by this Order, with such alterations

and additions (if any) thereto as the Board of Trade may from time to time
 4 consent to for the benefit of navigation.

A.D. 1872.

Waterford.

8. The works authorised by this Order comprise the following :

Description
of works.

5 A channel or cut, commencing at a point about midway between the
 eastern and western shores of *Waterford Harbour*, and about fifteen
 hundred yards south of the fort and lower lighthouse at *Duncannon*,
 running or extending therefrom in a southerly direction for a distance
 of two thousand eight hundred yards or thereabouts, and terminating
 10 at a point distant about eleven hundred yards in a north-easterly
 direction from the eastern extremity of the promontory known as
Crochan or *Crochan Head*.

9 The Commissioners may deviate laterally from the lines of the works by
 this Order authorised to the extent marked on the plans deposited for the
 purposes of this Order, and may deviate vertically from the levels defined on the
 15 sections deposited for the purposes of this Order to any extent not exceeding
 six feet.

Power to
deviate.

10. The Commissioners may also lay down, erect, execute, or maintain all
 buoys, moorings, lights, beacons, and other works and conveniences which from
 time to time they may think necessary for effectuating any of the purposes of
 20 this Order, and may do any of the works authorised by this Order, either by
 themselves, their servants, or by others, and generally make such arrangements
 as may appear to them desirable for carrying out the said works.

Facilities powers
as to works.

11. The Commissioners may carry to and deposit the materials dredged or
 taken out of the said cut or channel at any place within the limits of the said
 25 port and harbour, either above or below low-water mark as may previously be
 approved of by the Board of Trade.

Deposit of
materials taken
from cut or
channel.

12. The works authorised by this Order shall be completed within eight
 years from the date of the passing of the Act confirming this Order.

Period for
completion of
works.

13. With the consent of the Commissioners of Irish Lights, the Commis-
 30 sioners shall at their own expense, and without any cost to the Mercantile
 Marine Fund, remove the *Low Lighthouse* and *Light Keeper's Store* in
Duncannon Port Yard to and re-erect the same on another site within the
 Fort Yard twenty yards or thereabouts to the eastward of the present site, the
 precise position of which other site shall be determined by the Commissioners
 35 of Irish Lights; and the cost of any new quarters, or any other expense
 which the War Department incur by reason of the change of site of the *Low
 Lighthouse*, shall be paid by the Commissioners to the War Department, and
 may be recovered from the Commissioners as a debt due to the Crown.

Low light-
house to be
removed.

14. Subject to the exemption from rates specified in the schedule to this
 40 Order, which exemption is allowed by reason that rates and dues of the same
 amount are (contrary to the custom in many other ports) now levied in the
 ports of *Waterford* and *New Ross* on all vessels alike whether bound to or from
 ports of foreign countries or plying between home ports only, and subject also
 to the provisions of this Order, the Commissioners may demand, receive, or

Power to levy
new rates.

4 *Pier and Harbour Orders Confirmation (No. 3).* [35 & 36 VICT.]

A.D. 1872.

Waterford.

recover, in addition to the tolls and rates by the local Act and by "The Waterford Harbour (Dry Dock) Act, 1868," respectively authorised to be levied, any sums not exceeding the rates specified in the schedule to this Order: Provided always, that when and so soon as the works hereby authorized shall have been completed, and the money to be borrowed hereunder shall have been repaid, then the powers hereby conferred of levying rates shall cease and determine so far as the same relate to vessels plying to the port of New Ross.

Commencement of rates in certain events.

15. Provided that until the channel or cut authorized by this Order is made or dredged to the depth of eighteen feet below low water of ordinary spring tides, the Commissioners shall not demand, receive, or recover any sums exceeding one half of the several rates specified in the said schedule hereto.

A certificate signed by the chairman of quarter sessions for the county of Waterford that the said channel or cut has been so made or dredged to the depth of eighteen feet below low water of ordinary spring tides (which certificate he shall sign and give on being satisfied in this behalf), shall be conclusive evidence of the fact stated in such certificate.

Certain fishing vessels under stress of weather exempt from rates.

16. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels, when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Power to borrow money.

17. In addition to any sum which the Commissioners have borrowed or have power to borrow on the security of the revenue of the harbour of Waterford, the Commissioners may from time to time borrow on mortgage at interest such further sums as may be required for carrying into effect the purposes of this Order, not exceeding in the whole the sum of seventy-four thousand pounds, on security of the rates authorised by this Order, and the rates, duties, and customs now leviable by the Commissioners, or any other property of the Commissioners.

Existing securities to have priority.

18. Every security made for money borrowed by the Commissioners before the passing of the Act confirming this Order shall have priority over every security made for money borrowed under this Order.

Application of money borrowed.

19. Every part of the money borrowed by the Commissioners under this Order shall be applied only for the purposes authorized by this Order.

Power to re-borrow.

20. The Commissioners may from time to time re-borrow any amount from time to time repaid or about to be repaid by them, unless it be paid by means of the sinking fund, in which case, and to the extent of the amount paid off by means of such sinking fund, their powers of borrowing and re-borrowing shall cease.

For appointment of a receiver.

21. The mortgagees of the Commissioners may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver, and in order to authorize the appointment of a receiver in respect of principal, or principal and interest, the amount owing to

the mortgagees by whom the application for a receiver is made shall not be less than seven thousand four hundred pounds in the whole

A.D. 1872.

22. The Commissioners shall apply all the rates received under this Order (subject to the proviso contained in the fifteenth section hereof) for the purposes

Waterford, Application of sales.

3 and in the order following, and not otherwise; (that is to say,)

1. In paying the costs of and connected with the applying for, obtaining, and making of this Order;

2. In paying year by year the interest accruing on money borrowed under this Order;

10 3. In paying the cost of the construction and maintenance of the works authorised by this Order, and the salaries and expenses authorised by this Order;

4. In payment of principal money borrowed, or in creating a sinking fund for that purpose, in the manner, and so far as the nature and circumstances of the case will admit, in the proportion specified by The Commissioners Clauses Act, 1847.

15 23. The Commissioners shall keep separate accounts of the rates received by them under this Order, and shall from time to time revise the rates receivable under this Order, so that the total produce of the rates received by the Commissioners under this Order may always be, as far as practicable, sufficient and not more than sufficient to meet the expenditure directed or authorised by this Order.

Rates may be revised from time to time.

24. The Commissioners shall be at liberty from time to time to appoint, remove, and re-appoint a secretary, collector, an engineer, and other officers for the purposes authorised by this Order, and to pay such salaries as they may 25 deem reasonable out of the rates received under this Order, but so that the total amount of such salaries shall not exceed the sum of five hundred pounds per annum.

Appointment of officers, &c. for purposes of Order.

25. The Commissioners may, for the purposes of the works authorised by this Order, or any of them, from time to time purchase, lease, provide, or hire 30 such steam or other dredgers, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials as they think fit, and may from time to time as they think fit sell and dispose of any such dredgers, engines, tugs, vessels, diving bells, lighters, tools, plant, and materials as aforesaid, and shall apply the money thereby 35 realized for carrying into effect the purposes of this Order, or some of them.

Commissioners may provide engines, lighters, &c.

26. The following sections of "The Harbours, Docks, and Piers Clauses Act, 1847," shall not be incorporated with this Order; (that is to say,) sections fourteen to nineteen, twenty-five to twenty-seven, thirty-four to forty-eight, fifty-one to seventy-six, and seventy-nine to ninety-six, all inclusive.

Exemption of parts of 10 & 14 Vict. c. 27.

40 27. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

Power to come in certain events.

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months;

45 the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works

6 *Pier and Harbour Orders Confirmation (No. 3).* [35 & 36 VICT.]

A.D. 1872.
Waterford.

as shall be then completed, unless the time for completion shall be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be 5 conclusive evidence of the fact stated in such certificate.

being existing powers of Councils.

28. Save as herein otherwise expressed, nothing in this Order shall be construed to repeal, lessen, or interfere with any of the powers, provisions, authorities, or restrictions of the Local Act, or of "The Waterford Harbour (Dry Dock) Act, 1868" 10

Saving rights under "Crown Lands Act, 1858."

29. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by "The Crown Lands Act, 1868," nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the 15 Board of Trade having been first obtained.

Expenses of Order

30. All costs, charges, and expenses incurred by the Commissioners of and incidental to the obtaining this Order, and otherwise in relation thereto, shall be paid by the Commissioners.

Short title.

31. This Order may be cited as "The Waterford Harbour Order, 1872." 20

SCHEDULE to which the foregoing Order refers.

- | | | |
|--|--|----|
| (1.) For and upon every ton of the admeasurement of every vessel exceeding 250 tons and not exceeding 400 tons burden landing or receiving cargo at or above Duncannon, a rate or sum | Not exceeding sixpence per ton. | 25 |
| (2.) For and upon every ton of admeasurement of every vessel exceeding 400 tons burden landing or receiving cargo at or above Duncannon, a rate or sum | Not exceeding ninepence per ton. | |
| (3.) For and upon every ton of the admeasurement of every vessel exceeding 250 tons burden entering the harbour of Waterford for the purpose of seeking refuge therein and not landing or receiving cargo, a rate or sum | Not exceeding threepence per ton. | 30 |
| (4.) For and upon every ton of the admeasurement of every vessel exceeding 250 tons burden entering the harbour of Waterford for orders, or landing or receiving mails or passengers at the port of Waterford, provided such vessels do not land or receive cargo, a rate or sum | Not exceeding three halfpence per ton. | 35 |

All vessels bound only from any one port to any other port of the United 40 Kingdom, the Channel Islands, or the Isle of Man, shall be exempt from payment of the rates specified in this schedule.

Pier and Harbour Orders
Confirmation (No. 3).

A

B I L L

[As amended by the SELECT COMMITTEE]

To confirm a Provisional Order made by
the Board of Trade under The General
Pier and Harbour Act, 1861, relating
to Waterford.

(Prepared and brought in by

W. Arthur Peel and Mr. Charles Forster.)

Ordered by the House of Commons, to be Printed,
28 June 1872.

[Bill 217.]

Uicker 1 02.